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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/360,419	07/23/1999	AMIR DORON	HP10991005-1	4168

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EXAMINER

WU, DOROTHY

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 06/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/360,419

Applicant(s)

DORON, AMIR

Examiner

Dorothy Wu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3,5. 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the claim states the processing circuit processes output signals from the image sensor in response to user actuation of the ON/OFF control. However, the disclosure teaches that pushbutton 62 is depressed to turn the camera ON and OFF, while pushbutton 64 is assigned the shutter button function for image capture (page 13, lines 8-9). The disclosure further teaches that shutter button 64 is depressed to take still images or motion video sequences (page 13, lines 9-12). However, the disclosure then states that ON/OFF control 64 controls the taking of still or motion images (page 13, lines 13-16), when the disclosure has already designated button 62 as the ON/OFF control and assigned the characteristic value "64" to the shutter button, which controls still and video image capture. Correction is required.

All subsequent claims with corresponding indefinite limitations are similarly rejected.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6, 7, 11-14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato, U.S. Patent 6,148,031, in view of Parulski et al, U.S. Patent 5,440,343.

As best understood from the language of the claim, regarding claim 1, Kato teaches a camera (col. 1, line 11) comprising an image sensor (CCD 10) for generating output signals representative of an image of an object or a scene of interest (col. 3, lines 18-19). The housing and lens are inherently taught. Kato also teaches a manually actuable trigger switch on operation keyboard 32 (col. 3, lines 35-38); a processing circuit (digital signal processor circuit 14) connected to the image sensor (CCD 10) for processing the output signals from the image sensor (CCD 10) in response to user actuation of the trigger switch (col. 3, lines 22-24); a memory (first memory 20) (col. 3, lines 28-29); and a control circuit (system control circuit 26) connected to the processing circuit (digital signal processor circuit 14) including means for generating image files and storing the image files in the memory (first memory 20) after applying intra-picture coding, which reads on a predetermined still image data compression standard, retrieving the image files from the memory (first memory 20), inter-picture coding the image files, which reads on the conversion of the image files to a motion video sequence in accordance with the predetermined motion image data compression standard, and storing the motion video sequence (col. 3, lines 41-63). Kato does not teach selectively generating a first sequence of high

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resolution still image files or a second sequence of low resolution still image files. Parulski et al teaches the generation of high resolution still image files and low resolution still image files (col. 1, lines 34, 57-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the camera taught by Kato with the generation of low and high resolution images taught by Parulski et al to make a camera with the limitations of Kato that generates high resolution images for still images and low resolution images to later be used as motion images. One of ordinary skill would have been motivated to make such a modification to obtain still images of high quality and motion images with less data such that it is possible to capture the motion images at an adequate frame rate.

As best understood from the language of the claim, regarding claim 11, because the apparatus according to the limitations of claim 1 is taught, the method corresponding to the apparatus is also taught.

As best understood from the language of the claims, regarding claims 2 and 3, Kato teaches that the predetermined still image data compression standard is JPEG and that the predetermined motion image data compression standard is MPEG (col. 9, lines 12-14).

As best understood from the language of the claims, regarding claims 12 and 13, because the apparatus according to the limitations of claims 2 and 3 is taught, the method corresponding to the apparatus is also taught.

As best understood from the language of the claim, regarding claim 4, Kato teaches the use of JPEG (col. 9, lines 12-13). If a camera employs JPEG, it is an inherent feature of the camera to include a JPEG file format conversion component.

As best understood from the language of the claim, regarding claim 14, because the apparatus according to the limitations of claim 4 is taught, the method corresponding to the apparatus is also taught.

As best understood from the language of the claims, regarding claims 6 and 7, Kato teaches that the motion scenes are captured at the standard rate of thirty frames per second, which reads on a rate sufficient to ensure substantially non-jerky motion when the motion video sequence is replayed.

As best understood from the language of the claims, regarding claims 16 and 17, because the apparatus according to the limitations of claims 6 and 7 is taught, the method corresponding to the apparatus is also taught.

3. Claims 5, 9, 10, 15, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato, U.S. Patent 6,148,031, in view of Parulski et al, U.S. Patent 5,440,343, and further in view of Nanba, U.S. Patent 6,297,870.

As best understood from the language of the claim, regarding claim 5, Kato in view of Parulski et al teach the camera according to the limitations of claim 1. See above. Kato in view of Parulski et al do not teach the embedding of JPEG files in corresponding EXIF files. Nanba teaches that a frame may be treated as an image file of an EXIF format, and that each frame has information compressed by a JPEG method, which reads on embedded JPEG files in a plurality of corresponding EXIF files (col. 6, lines 45-48). The EXIF file format conversion component is inherently taught. Therefore, it would have been obvious to insert the practice of embedding JPEG files in EXIF files taught by Nanba into the camera taught by Kato in view of Parulski to

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make a camera whose images are in an industry standard format. One of ordinary skill would have been motivated to make such a modification to ensure that the images captured by the camera are compatible with other technologies.

As best understood from the language of the claim, regarding claim 15, because the apparatus according to the limitations of claim 5 is taught, the method corresponding to the apparatus is also taught.

As best understood from the language of the claim, regarding claim 9, Nanba teaches a display (LCD 10) that permits the user to observe image data stored in memory (col. 4, lines 13-17). Kato teaches the storage of both motion and still images in memory (col. 3, lines 41-53). The means for driving the display and the means for permitting the user to selectively observe on the display a selected one of the image files stored in memory is inherently taught.

As best understood from the language of the claim, regarding claim 19, because the apparatus according to the limitations of claim 9 is taught, the method corresponding to the apparatus is also taught.

As best understood from the language of the claim, regarding claim 10, Nanba teaches means (USB interface) for transmitting image data to a host (PC 1000) (col. 6, lines 55-57; col. 7, line 61-col. 8, line 8). Kato teaches the storage of both motion and still images in memory (col. 3, lines 41-53).

As best understood from the language of the claim, regarding claim 20, Kato teaches an electronic still camera (col. 1, line 11) comprising an image sensor (CCD 10) for generating output signals representative of an image of an object or a scene of interest (col. 3, lines 18-19). The housing and lens are inherently taught. Kato also teaches a manually actuable trigger switch

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on operation keyboard **32** (col. 3, lines 35-38); a processing circuit (digital signal processor circuit **14**) connected to the image sensor (CCD **10**) for processing the output signals from the image sensor (CCD **10**) in response to user actuation of the trigger switch (col. 3, lines 22-24); a memory (first memory **20**) (col. 3, lines 28-29); and a control circuit (system control circuit **26**) connected to the processing circuit (digital signal processor circuit **14**) that selectively generations a first or second sequence of still image files, stores the image files in memory (first memory **20**) in accordance with a JPEG still image data compression standard to create a plurality of JPEG files, retrieves image files from memory, and converts them to a motion video sequence in accordance with an MPEG motion image data compression standard, and stores the sequence in memory (second memory **22**) (col. 3, lines 41-63, and col. 9, lines 12-14). Kato does not teach the generation of high resolution still image files and low resolution still image files. Parulski et al teaches the generation of high resolution still image files and low resolution still image files (col. 1, lines 34, 57-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the camera taught by Kato with the generation of low and high resolution images taught by Parulski et al to make a camera with the limitations of Kato that generates high resolution images for still images and low resolution images to later be used as motion images. One of ordinary skill would have been motivated to make such a modification to obtain still images of high quality and motion images with less data such that it is possible to capture the motion images at an adequate frame rate.

Kato in view of Parulski et al do not teach the means for embedding JPEG files into a plurality of corresponding EXIF files, nor do Kato in view of Parulski teach a display, display driver, and means to selectively display still images or a motion video sequence. Kato teaches



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the storage of both motion and still images in memory (col. 3, lines 41-53). Nanba teaches that a frame may be treated as an image file of an EXIF format, and that each frame has information compressed by a JPEG method, which reads on embedded JPEG files in a plurality of corresponding EXIF files (col. 6, lines 45-48). Nanba also teaches a display (LCD 10) that permits the user to observe image data stored in memory (col. 4, lines 13-17). The means for driving the display and the means for permitting the user to selectively observe on the display a selected one of the image files stored in memory is inherently taught. Therefore, it would have been obvious to insert the practice of embedding JPEG files in EXIF files and the option of display images taught by Nanba into the camera taught by Kato in view of Parulski to make a camera whose images are in an industry standard format, and are viewable on the camera. One of ordinary skill would have been motivated to make such a modification to ensure that the images captured by the camera are compatible with other technologies, and to playback images for display.

4. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato, U.S. Patent 6,148,031, in view of Parulski et al, U.S. Patent 5,440,343, and further in view of Mizoguchi, U.S. Pub. No. US 2002/0012051.

As best understood from the language of the claim, regarding claim 8, Kato in view of Parulski et al teach the camera according to the limitations of claim 1. See above. Kato in view of Parulski et al do not teach the generation of a first sequence of high resolution still image files in response to each momentary actuation of the trigger switch, and the generation of a second sequence of low resolution still image files in response to the trigger switch being actuated and

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held for a predetermined duration longer than the momentary actuation. Mizoguchi teaches that a single still image is captured in response to a single shutter release operation, and continuous (movie) photographing occurs at a predetermined time interval during one shutter release operation, which reads on the generation of still images in response to each momentary actuation of the shutter control and the generation of video images in response to the shutter control being actuated and held for a predetermined duration longer than the momentary actuation [0004, 0005]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the apparatus taught by Kato in view of Parulski et al with the practice of capturing sequences of high or low resolution still images in accordance with the user actuation of the trigger switch taught by Mizoguchi to make an apparatus where high resolution images are captured when the trigger switch is actuated once and low resolution images are captured when the trigger switch is depressed and held. One of ordinary skill would have been motivated to make such a modification to give the user an easy way to control when still or motion images are being captured.

As best understood from the language of the claim, regarding claim 18, because the apparatus according to the limitations of claim 8 is taught, the method corresponding to the apparatus is also taught.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dorothy Wu whose telephone number is 703-305-8412. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 703-305-4863.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

Or faxed to:

703-872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

*Dorothy Wu*

DW  
June 16, 2003

*KA Williams*

Kimberly A. Williams  
Primary Examiner  
Technology Center 2600